

003204



FRANK P. CLEVELAND, M. D.  
HAMILTON COUNTY CORONER

ELLIOT M. GROSS, M. D.  
CHIEF DEPUTY CORONER/DIRECTOR OF FORENSIC PATHOLOGY

CAROLYN MARATEA  
ADMINISTRATOR

WILLIAM L. DEAN, M. S.  
CHIEF OF FORENSIC SCIENCES

HAROLD E. SCHUELER, Ph. D.  
CHIEF OF TOXICOLOGY

INSTITUTE OF FORENSIC MEDICINE  
TOXICOLOGY AND CRIMINALISTICS

3159 EDEN AVENUE • CINCINNATI, OHIO 45219

TELEPHONE AREA 513

OFFICE 221-4524  
LABORATORY 221-4528  
MORGUE 221-4529  
FAX: 513-221-0307

OFFICIAL CRIME LABORATORY REPORT

TO: Police Specialist Hoffmann  
CPD, Homicide Squad

EXAMINATION REQUESTED BY:  
Same

C.L. FILE # 318-94-F-M

DATE January 21, 1994

SUBJECT Olinger, Melvin

TYPE OF EXAMINATION REQUESTED:  
Crime Gun Examination/Unfired Ammunition  
Hair Examination

The following is a report of the Crime Laboratory giving the results of examinations conducted on specimens received from your office. This examination has been made with the understanding that the specimen is connected with an official investigation of a criminal matter and the laboratory report will be used for official purposes only, related to the investigation or a subsequent criminal prosecution. Authorization cannot be granted for the use of this report in connection with a civil proceeding.

**SPECIMENS:**

Q-1 --- revolver, 6 shot, .357 Magnum chambered Sturm, Ruger & Co., Security Six model, serial number 152-80943 from a CPD gun envelope numbered 5774

Q-2 --- two small lead fragments recovered from Melvin Olinger at autopsy H-28-94

Q-3 --- two unfired Remington brand .357 Magnum cartridges having scalloped jacketed hollow point bullets from a white leather pouch submitted in a CPD property envelope numbered 5690

Q-4 --- cut, black parka with a label "Outdoor Exchange L-42-44" removed from Melvin Olinger at autopsy

Q-5 --- a pair of black slacks labeled "Palm Beach"

Q-6 --- three tape lifts used to collect hairs from the trunk of a blue FORD "TAURUS" with Ohio license: NMN - 685

Q-7 --- four tape lifts used to collect hairs from the passenger compartment of a blue FORD "TAURUS" with Ohio license: NMN - 685

K-1 --- a known head hair sample from Melvin Olinger

**FINDINGS:** (The findings below are based upon standard firearms identification and examination procedures.)

a) No malfunctions were encountered in the examination and test firing of the Q-1 revolver.

b) Prior to test firing, the Q-1 revolver was examined for blood, hairs or fibers with negative results. One chamber, fired more recently than the rest, was noted and marked on the cylinder of Q-1.

THE INSTITUTE OF FORENSIC MEDICINE  
TOXICOLOGY AND CRIMINALISTICS

SUBJECT Olinger, Melvin

Page 2 of 2

FILE NO. 318-94-F-M

- c) The Q-2 lead fragments have a total weight of 0.6 grains and are devoid of usable rifling impressions.
- d) One of the two cartridges of Q-3 was disassembled and found to contain 15.6 grains of flattened ball propellant and a flat base 158 gr., scalloped, jacketed hollow point bullet.
- e) No holes, soot or propellant were seen in the right side of the Q-4 coat. An attached, black nylon hood was still within its zippered collar compartment.
- f) Bullets test fired from the Q-1 revolver did not correspond to any in this laboratory's unsolved shooting file.
- g) Laboratory ammunition of the same brand and type as Q-3 was test fired in the revolver at 4, 6, 12, 18, 24, 30 and 36 inches from a twill or carbon paper faced target for comparison to the density of the stippling pattern depicted in color photographs (transparencies) of the right side of M. Olinger head.

OPINION:

The Q-1 revolver is a functional firearm.

The Q-2 lead fragments cannot be further categorized.

No gunshot residue pattern was detected on the Q-4 parka.

The stippling density depicted in photographs of the right side of Mr. Olinger's head is consistent with a distance greater than 6 inches but less than 30 inches for a shot from the Q-1 revolver with ammunition of the same type as the Q-3 cartridges.

  
William A. Schrand, Firearms Examiner

WAS:scb

RESULTS:

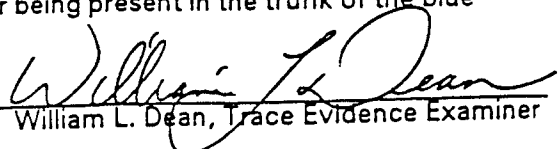
A search for foreign hairs on the victim's clothing, Q-4 and Q-5, was negative.

A microscopic examination of the tape lifts, Q-6, revealed several caucasian head hairs. These hairs corresponded in color, configuration, and microscopic characteristics to hairs from Melvin Olinger, K-1.

A microscopic examination of the tape lifts, Q-7, revealed numerous, short, head hair fragments. These fragments displayed negroid characteristics, but were too short for further examination.

OPINION:

The above results are consistent with head hairs of Melvin Olinger being present in the trunk of the blue FORD "TAURUS".

  
William L. Dean, Trace Evidence Examiner

WLD:scb  
March 16, 1994

003206

861(D)(1)(b) Prior unadmitted statement & rebuttal  
of prosecution, improper influence or motive.

p2 - Winnipeg Hamilton - intention - steal car

p3 - I had been drunk heavily & smoked M  
I wasn't really in my right state of mind

p4 - He dropped his wallet - I had gun pointed at him - he started  
walking towards me - I wasn't in my right state of mind  
I saw the wallet - I was high - I panicked - I got scared  
I accidentally pulled the trigger  
it definitely was an accident I didn't mean it  
it definitely was an accident  
After blooded out - went into shock

I was hoping I didn't shoot - missed or something

Larry Langher - He said fuck him

I was trying to get car to impress people - I wasn't never  
trying to hurt any body  
That was my intention & I am saying I did it.

p15 - I told him I was gonna let him go - That was my intention

p17 - dropped wallet - he stepped forward - panicked  
being in condition I was in - accidentally pulled trigger  
car - got out of driver's seat - I was - it truly was an accident

J. Williamson  
Carol Boukai

Lee spent night at Koko

next morning - N. Gate - I. C. Perry - jewelry  
beside ground - Tonya

Tally

OK p19 Didn't buy anything  
p20 Didn't get himself anything p20

Cross of Duff 1/21/94 6:35-AM (p19)

L.M.'s - statement

p3 Drunk, heavily smoking marijuana.  
I wasn't really in my right state of mind  
p4 - drunk, smoking weed

Nello 4:45 Dave Feldhaus - "I DIDN'T PLAN TO KILL ANYBODY"  
3 40's GROW WEED

p4 - I didn't mean it - it definitely was an accident

p7 - Larry had wallet

p15 it was my intention to let him go.

p17 - accident - accidentally pulled the trigger drunk + Mary

p18 I didn't mean to do that - I was really drunk

003208

Bob Bennett - Martin & Limin & prison

Mike Tiernan - graph in the head - from Jason Holmes

MARK EXHIBIT

No SHOES

Cold sun shirt Walker Thompson  
No shirt Present when brought in

1st 4:45

Intervene JH & J

LK fe. st 148

2d 6:35

Changed W Sy M

What time arrived

Feltham - Trial of Jason Holmes  
VII - p 322 - who developed plan - both  
JH + LM

Dan Feltham

both to begin begin to open - establish rapport  
feel at ease. want them to tell the truth

p 322 - VII - both developed plan to go to Fairfield

VTH - trial - did not receive death penalty  
disseminated

LK awaiting sentence - cannot receive death penalty

LEE MOORE, JR

19 YOA

242-1482

0445

1-21-94



"I DIDN'T PLAN TO KILL ANYBODY"

SKATONDA NEAL 17

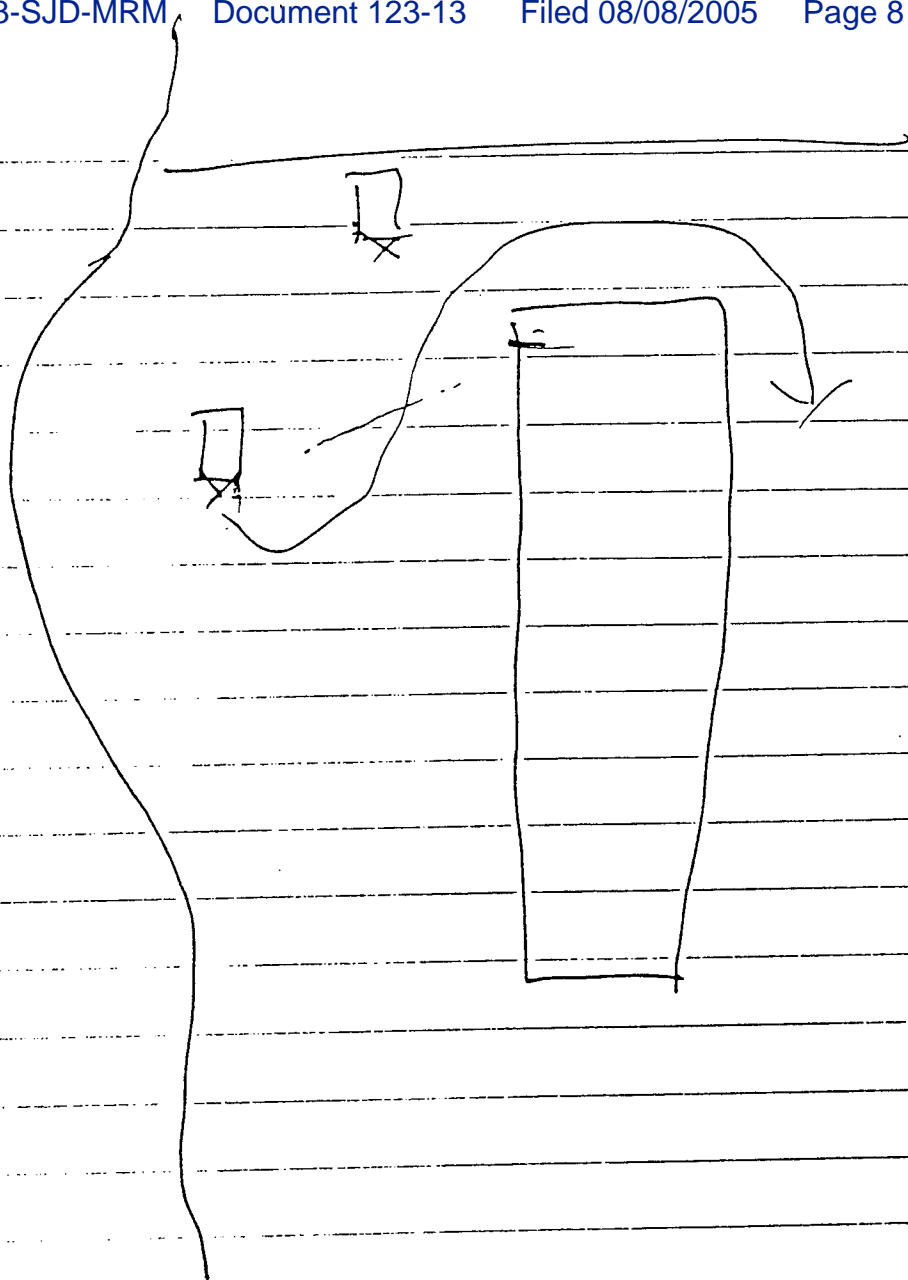
PICKUP FAMILIAR. PICKUP CAR ~~HE~~ HE LIKED WITH  
MICH. PLATES STOPPED TO USE BATHROOM

~~LEAVE~~ LEE ASKED LARRY OUT TO SEE CAR

3:40'S, GIN, DIRT ROAD

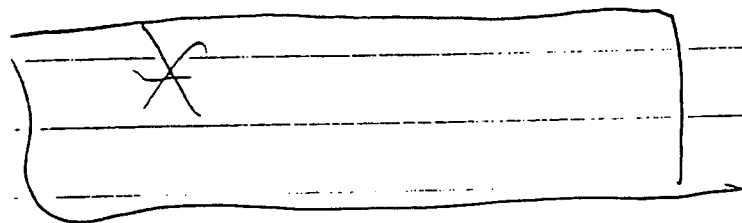
Got OUT OF TRUCK ON ROAD, ASKED HIM WHOEVER HE  
WAS AT

FINISH ONCE. RAN TO CAR. LARRY SAID, HOY MAN,  
YOU SHOT HIM. LIKE HE LIKED IT



INT. 1

Ham



003211



0445

LEE Edward MOORE M/B/19  
1101 CLEAR BROOK #  
242-1482

10/19/74

SHATUNDA NEAL F.B. 17  
10889 SPRUCE HILL #

0445 TOLD HER BOSS LET HIM USED IT  
GIVEN GLASS OF WATER (REQUESTED)

L.M. STATE HIS CAR WAS GIVING HIM  
PROBLEMS 1980 FORD (TRANSMISSION)

- WENT NEEDED TO STEAL THE CAR  
WANTED TO GO OUT OF THE COUNTY  
TO STEAL THOUGHT HE COULD KEEP IT  
SEVERAL MORE DAYS

- P.M. DROVE UP TO HAMILTON WITH  
JASON HOLMES IN L.M. AUTO

- SAW VICTIM GETTING OUT OF HIS BLUE  
TAURUS NOTICED IT HAD HIGH-GAIN PLATES ON  
IT DECIDED TO HIT HIM

L.M. STATE THEY WERE IN PARKING LOT ORIGINALLY  
BECAUSE THEY STOPPED TO USE BATHROOM.

- SAW AND WAITED FOR VICTIM TO COME OUT  
LEE WALKED UP TO VICTIM POINTED GUN AT  
HIM MADE HIM GET INTO AUTO

LEE THEN DROVE TAURUS AROUND BUILDING  
AND PUT VICTIM INTO TRUNK OF CAR

SO HE DIDN'T SEE WHERE THEY WERE DRIVING

003212

- LEE THINKS VICTIM WAS STANDING ON SIDE OF DUMPSTER
- LEE BENT DOWN TO PICK UP WIRET AND VICTIM STARTED COMING TOWARD HIM
- LEE SAID HE PANICKED AND FIRED GUN ONE TIME
- WHEN LEE HEARD SHOT HE SAID HE BLANKED OUT AND STARTED TO RUN TOWARD CAR DID NOT KNOW IF VICTIM WAS SHOT - HOPING HE WASN'T
- GOT INTO VICTIM'S CAR AND DROVE AWAY - LARRY WAS SHOUTING YOU DID IT MAN YOU SHOT THAT MAN LIKE HE WAS REAL GLAD LARRY SAID FUCK HIM
- DROVE AWAY FROM AREA BACK TO LARRY'S HOUSE - THINKS LARRY TOLD JASON WITH HARPER
- LEE SAID HE WENT AND LAID DOWN ON COUCH LARRY HAD CREDIT CARDS PUT THEM IN JASON'S ROOM
- THE NEXT DAY <sup>SAT</sup> WENT OUT WITH LARRY TO NORTHGATE (J.C. PENNY) WENT TO JEWELRY DEPT PURCHASED NECKLACE & BRACELET FOR HIS GIRLFRIEND STATUDA WENT AND PURCHASED A SWEATSHIRT - T SHIRT & SWEATPANTS WITH VICTIM'S CREDIT CARD
- THEN DROVE TO TRI COUNTY J.C. PENNY PURCHASED 1 NOCET RING & HALLMARK BEAD NECKLACE WITH VICTIM'S CARD

003213

1 DROVE TO CUMMINGSVILLE JASON HOUSE AND  
LEE WENT UP TO HOUSE TOLD LARRY  
HE HAD SOMEONE IN CAR AND HE WAS  
GOING TO DROP HIM OFF AND LEAVE  
LARRY TOLD LEE HE WANTED TO GO  
WITH HIM.

- 1 - LEE SAID HE WAS DRUNK & HIGH  
3-40 OZ SOME GIN & SOME WEED DINE BAG
- LEE AND LARRY DROVE AWAY - JASON  
STAYED BEHIND.
- LEE STATED HE WAS JUST DRIVING AND  
ENDED UP IN CUMMINGSVILLE - WAS DRIVING  
A STREET & LARRY TOLD HIM TO TURN AND  
LEAVE HIM THERE.
- DROVE BEHIND A BUILDING THOUGHT THERE  
WAS RR TRACKS NEARBY - BACK CAR UP  
BY BUILDING LEE & LARRY BOTH GOT OUT  
OF CAR AND LEE OPEN TRUNK GAVE  
CAR KEYS TO LARRY AND TOLD HIM TO START  
CAR
- VICTIM GOT OUT OF TRUNK ON HIS OWN  
HE WAS ASKING WHERE HE WAS AT - LEE TOLD  
HIM HE WASN'T GOING TO TELL HIM BECAUSE  
HE DIDN'T WANT HIM TO KNOW
- LEE TOLD VICTIM TO GIVE UP HIS WATCH  
VICTIM WAS WALKING TOWARD DUMPSTER HE STOPPED  
TO GIVE LEE WATCH AND IT FELL ON GROUND

003214

- Came back home to Larry's house - Eventually went over to SHATUNDAS house and Chris had jewelry he bought
- Larry & Jason had credit cards  
They went back out to J.C. Penney's unknown which one
- Lee was driving victims car for a couple days gave it to CAMERON TOLD HIM IT WAS HOT - SAID HE GAVE IT TO CAMERON BECAUSE HE DIDN'T WANT IT ANYMORE HE WANTED TO JUST END IT.

0715 Given class of water (riforsal)

Form 708A

Case Number .... R9400481 .....

THE STATE OF OHIO,  
Hamilton County, }

ss.

**Court of Common Pleas**

SUBPOENA FOR WITNESS

To Carol Endai  
Assignment Commissioner's Office  
3rd Floor  
Hamilton County Courthouse  
1000 Main St.  
Cinti., OH 45202

You are required to attend on the 9th day of November A. D. 19 94  
at 10:00 o'clock A. M., in the Court House in Cincinnati, in said County,  
before the Hon. Judge Ruehlman Judge of said Court, in Room  
No. 534 to testify as witness on behalf of Lee Moore  
in the case of State of Ohio  
versus Lee Moore

and not depart the Court without leave. Fail not under penalty of the law.

WITNESS my hand and the seal of the said Court at Cincinnati,  
this ..... day of ..... A. D. 19.....

Daniel J. James  
#0008067  
721-1995

Attorney

JAMES C. CISSELL

Clerk of the Court of Common Pleas of Hamilton County, Ohio

By ..... Deputy

**PRESS FIRMLY**

Report to Clerk's Office, Room 315 for witness fee payment after appearance.


003216

Daniel J. James  
#0008067  
721-1995

Attorneys for

Lee Moore

Form 708A

Case Number B9400481

Hamilton County, } ss. **Court of Common Pleas**  
**SUBPOENA FOR WITNESS**

To P.O. David Feldhaus  
C.I.S.  
824 Broadway  
Cinti., OH 45202

DICES TESTIM: Any and all notes, summaries and reports concerning interview of  
and statement given by Lee Moore in regard to Homicide of 1-14-94.

You are required to attend on the 14th day of November A. D. 19 94  
at 10:00 o'clock A. M., in the Court House in Cincinnati, in said County,  
before the Hon. Judge Ruehlman Judge of said Court, in Room  
No. 534 to testify as witness on behalf of Lee Moore  
in the case of State of Ohio  
versus Lee Moore  
and not depart the Court without leave. Fail not under penalty of the law.

WITNESS my hand and the seal of the said Court at Cincinnati,

Daniel J. James  
0008067  
721-1995

this ..... day of ..... A. D. 19.....

**JAMES C. CISSELL**

Clerk of the Court of Common Pleas of Hamilton County, Ohio

By ..... Deputy

Attorney

**PRESS FIRMLY**

Report to Clerk's Office, Room 315 for witness fee payment after appearance.


003217

Daniel J. James  
#0008067  
721-1995

Attorneys for

Lee Moore

Attorneys for Lee Moore

## Directions for Sheriff

CASE # B9400481

NAME

**RESIDENCE:**

P	R	P/R	
		x	Dave Feldhaus
			C.I.S.
			824 Broadway
			Cinti., OH 45202
		x	Detective James Williamson
			c/o Assistant Hamilton
			County Prosecutor, Mark
			Pipemeier
			914 Main St. - 2nd flr.
			Cinti., OH 45202
		x	Carol Budai
			Assignment Commissioner's
			Office
			3rd Flr.
			Hamilton County Courthouse
			1000 Main St.
			Cinti., OH 45202

Daniel J. James  
#0008067  
721-1995

Attorneys for

Lee Moore

003219



ME & Jason know the Hamilton w/  
intention to steal a car - we both  
knew that was my intention to steal a car -

I seen a car - saw Oliver get out  
of car & go into Bar - I was going to  
get his car when he came out.

I got him in the car - I drove  
back to Jason's house & told him that he  
was in the car - Tony said he wanted to  
go into car.

We was in Cumminsville - I had been  
drinking & smoking pot

Went back - got him out of the Trunk  
& I told him to walk by dumpster so  
he could get behind it & we could leave.  
I asked for his wallet on the way back.

He dropped his wallet & I had the gun  
pointed at him & I reached down to pick  
it up & he started walking towards me  
& I pointed & I accidentally pulled the  
trigger. After the shot I blocked out or  
went into shock - didn't see him fall.  
Get back in car & rode away.

When I get in car Tony talking like  
"you get him - you shot him in" 003220

I was trying to get a car to injure people.

003221

HOMICIDE OF MELVIN OLINGER

STATEMENT OF LEE MOORE

Code to persons speaking in statement:

Q: Specialist Dave Feldhaus  
Homicide Unit, C.I.S.  
Cincinnati Police Division

QQ: Detective Mike Tiernan  
Fairfield Police Department

A: Lee Moore

(NOTE: Inaudible portions of statement are indicated by dashes.)

Q: Okay today's date is uh January 21st, 1994, the time now is um 0635 hours. My name is Specialist Dave Feldhaus with the Cincinnati Police Homicide Unit. With me is Detective Tiernan, T-I-E-R-N-A-N. He's with the uh Fairfield Police Department. We're interviewing uh a Lee Moore. Lee Edward Moore. He's a male black, 19 with a date of birth of uh 10/19 of 74. Mr. Moore gives an address of 1101 Clearbrook Avenue. Is that correct Lee? Is it Avenue or Street?

A: Drive.

Q: --- Drive. Okay. Has a phone number of 242-1492. Uh Mr. Moore is being interviewed in reference to the death of Melvin Olinger which occurred on uh January 14, um 1994 in uh Cumminsville. I know it was 3366 Llewellyn Place. Um before we get started Lee I'm showin' ya a piece of paper here in which you have your signature. It's your Miranda Rights. These rights were read to you

is that correct?

A: Yes.

Q: You gotta speak up okay so the tape can hear ya. Is that correct?

A: Yes.

Q: Okay an' you indicated that you understood it an' you signed your signature here at the bottom is that correct?

A: Yes.

Q: An' that's your signature?

A: Yes.

Q: Okay. Lee what we wanna do like I said we're we're investigatin' the death of um Mr. Olinger. He's uh a male white, 53. Uh an' again I said he was found over in Cumminsville. Um what I want you to do is just start at the beginning of what you know about his death an' how it came about an' what happen that night. Just take it slow an' um...

A: Okay.

Q: an' be truthful.

A: Me an' Jason we drove up to um...

Q: Now Jason is I I need you to name the whole names that you know.

A: Me an' Jason Holmes rode up drove up to um Hamilton with intentions to steel steel a car. He knew an' I knew those were uh were my intentions, to steal the car an' he was part of it. I got the car, I seen... (silence)

Q: Where you at up in Hamilton you say?